

EXHIBIT B

PLCB 1947 - REV. 12/14

COMMONWEALTH OF PENNSYLVANIA
PA LIQUOR CONTROL BOARDADMISSION, WAIVER, AND AUTHORIZATION
ARTICLE IV LICENSEESOFFICE OF ADMINISTRATIVE
LAW JUDGE

PLEASE READ THE PROVIDED INFORMATION AND INSTRUCTIONS BEFORE COMPLETING THIS FORM

1. Name of Licensee YO DELI, INC.		2. Citation No. 24-0470	
3. PLCB License No. R-2410 SS	4. PLCB LID No. 66445	5a. Small Games of Chance (SGOC) License or Tavern Gaming License (TGL) No.	5b. SGOC or TGL Expiration Date ____/____/____ month day year

6. If a suspension of your PLCB license and/or SGOC or TGL license is imposed, do you wish to serve it as soon as possible?

☐ YES ☐ NO

7. CUSTOMARY AND USUAL DAYS OF OPERATION:

☐ SUNDAY ☐ MONDAY ☐ TUESDAY ☐ WEDNESDAY ☐ THURSDAY ☐ FRIDAY ☐ SATURDAY

8. Has the PLCB license been returned to the PLCB for Safekeeping?

☐ YES ☐ NOIf yes, provide date: ____/____/____
month day year

9. Has a PLCB license transfer application been filed with the PLCB?

☐ YES ☐ NOIf yes, provide date: ____/____/____
month day year

10. STATEMENT OF ADMISSION, WAIVER, AND AUTHORIZATION

- Licensee admits to all violations charged in the referenced citation;
- Licensee agrees the Bureau of Liquor Control Enforcement (BLCE) has complied with all applicable investigatory and notice requirements of law;
- Licensee waives the right to a hearing and to appeal the resulting Adjudication;
- Licensee authorizes the Administrative Law Judge (ALJ) to enter an Adjudication based on a summary of facts provided by the BLCE, prior Adjudication history, and any matters Licensee wishes the ALJ to consider (jointly recommended penalty or mitigating facts, for example);
- Licensee agrees Licensee was afforded the opportunity to review all documents BLCE Counsel submitted to the ALJ.

11. The Liquor Code provides for the following penalties:

- a. \$50 to \$1,000 as to Count(s) No. 1
\$1,000 to \$5,000 as to Count(s) No. N/A
- b. In addition, the ALJ may suspend or revoke the PLCB license as well as any ancillary permits, including but not limited to, the Amusement Permit, Extended Hours Food Permit, or Sunday Sales Permit.
- c. If a violation is the third or subsequent listed in Liquor Code Section 471(b), and/or the Crimes Code, within four years, the ALJ must, at least, impose a suspension.

12. The SGOC Act (see block 5a.) provides for the following penalties:

- a. First offense: up to \$800 as to Count(s) No. _____
Second offense: up to \$1,000 as to Count(s) No. _____
Third or more offense(s): up to \$2,000 as to Count(s) No. _____
- b. In addition, the ALJ may suspend or revoke the SGOC license, as well as any Special Permit.
- c. If Licensee has intentionally or willfully failed to provide accurate records, the ALJ must, at least, impose a six months SGOC suspension.

13. The TGL Act (see block 5a.) provides for the following penalties:

- a. First offense: up to \$2,000 as to Count(s) No. _____
Second offense: up to \$3,000 as to Count(s) No. _____
Third or more offense(s): up to \$5,000 as to Count(s) No. _____
- b. Additionally, the ALJ may suspend or revoke the TGL.

14. Proof of Service and Acknowledgement

I certify I sent a copy of this document and any accompanying submission(s) on, ____/____/____ to the BLCE Counsel whose name and address are listed on the Citation's last page.
month day year

Under penalty of law (18 PA. C.S. §4904, relating to unsworn falsification to authorities), I verify I am the Licensee, an Officer/Partner, Club Steward, Attorney licensed in PA, or other person authorized by law to sign this document on behalf of Licensee. I have read the Information and Completion Instructions prior to submitting this document.

SIGNATURE

PRINT NAME

TITLE

DATE

EMAIL ADDRESS

()

DAYTIME TELEPHONE NO.

**COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA STATE POLICE**

**BUREAU OF LIQUOR CONTROL
ENFORCEMENT**

v.

**YO DELI, INC.
900 W. HUNTINGDON ST.
PHILADELPHIA, PA 19133-1922
PHILADELPHIA COUNTY**

CITATION NO. 24-0470

Incident No. PA 2024-407959

LID - 66445

License No. R-2410 SS

License First Issued: July 16, 2012

CITATION

WHEREAS, the Pennsylvania Liquor Control Board has issued to you the above-referenced license and related permit(s) for the licensed term ending October 31, 2024; and

WHEREAS, the Bureau of Liquor Control Enforcement is in possession of facts which leads it to believe that you have violated the Liquor Code, the Act of April 12, 1951, P.L. 90, as reenacted and amended, 47 P.S. §1-101, et seq, and the rules and regulations adopted pursuant thereto, in the following manner:

1. On March 25, 28; and May 22, 2024, your licensed premises was not a bona fide restaurant in that you, by your servants, agents or employees, maintained insufficient seating, in violation of Section 102 of the Liquor Code, 47 P.S. §1-102.

NOW THEREFORE, you are hereby cited to appear before an Administrative Law Judge, on a date to be scheduled by the Office of Administrative Law Judge, to show cause why such license should not be suspended or revoked or a fine imposed.

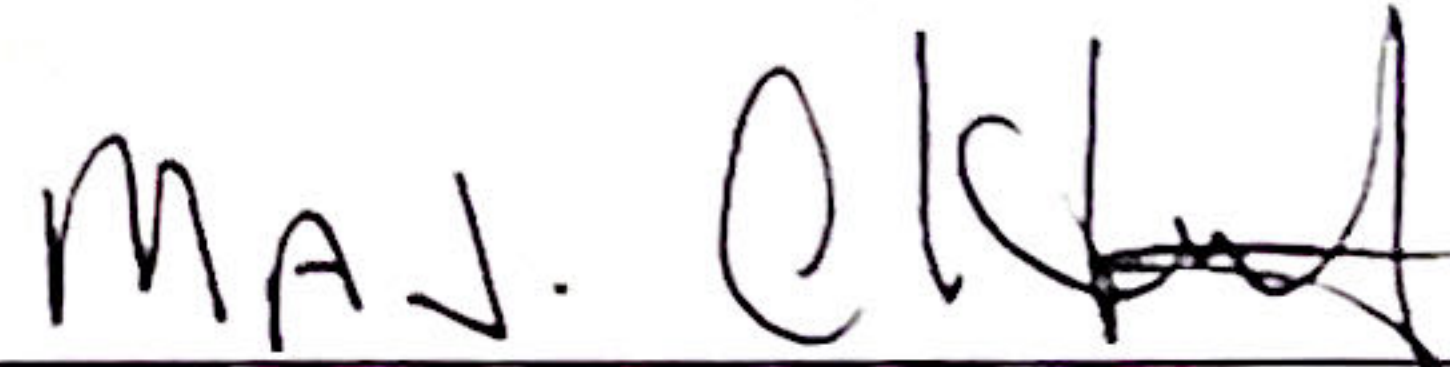
Yo Deli, Inc.
Citation No. 24-0470
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You have the right to retain legal counsel to represent you. If you do hire an attorney, he or she must file a Notice of Appearance with the Office of Administrative Law Judge, Brandywine Plaza, 2221 Paxton Church Road, Harrisburg, Pennsylvania 17110-9661, and forward a copy to the Assistant Counsel at the address listed below in accordance with 1 Pa. Code Subchapter C. Delay in obtaining counsel is not reason for any continuance.

You have the right to waive your hearing. Such action is an admission to the charges. Should you choose to waive, the proper form is enclosed for your convenience. Upon receipt, the Office of Administrative Law Judge will process the forms and issue an adjudication.

BY ORDER

Bureau of Liquor Control Enforcement



MAJOR CHRISTOPHER J. NEAL
Director

Date: June 11, 2024

Matthew K. Perks, Assistant Counsel
Pennsylvania State Police
Bureau of Liquor Control Enforcement
2810 S 20th Street
Building #6 1st Floor
Philadelphia, PA 19145
Telephone: 215-218-2380

Ans
W *Call BAC*



October 3, 2024

YO DELI INC
900 W HUNTINGDON ST
PHILADELPHIA PA 19133-1922

RE: License No. R-2410
LID No. 66445

Dear Licensee:

This is to advise that a preliminary review of your history of operation and/or citation record may indicate abuse of the licensing privilege. As such, a hearing shall be held to determine whether the following objections constitute activity warranting non-renewal of your license for the license period effective November 1, 2024.

1. It is alleged that you have abused your licensing privilege, and pursuant to Section 470 of the Liquor Code ([47 P.S. § 4-470](#)), you may no longer be eligible to hold a license based upon violations of the Liquor Code relative to Citation Numbers 15-1734 and 13-1726.
2. You did not operate as a bona fide restaurant pursuant to Section 102 of the Liquor Code ([47 P.S. § 1-102](#)) in that you failed to have sufficient seating and square footage which resulted in a suspension on June 13, 2024.
3. Kenni Kouch, Sole Corporate Officer and Manager is not a responsible person of good repute and/or has become a person of ill repute, pursuant to Sections 102 and 470 of the Liquor Code ([47 P.S. §§ 1-102](#) and [4-470](#))

Any of the above-stated reasons is sufficient in and of itself to warrant non-renewal of your license.

You will be contacted at a later date concerning the scheduling of a hearing. For your information, see Section 464 of the Pennsylvania Liquor Code ([47 P.S. § 4-464](#)) and Section 3.41 of the Board's Regulations ([40 Pa. Code § 3.41](#)) pertaining to hearings.

If you intend to be represented by counsel, you should take this notice to your attorney immediately. Continuance requests to obtain counsel may not be granted.

In the interim, the license sent to you via separate e-mail shall act as your temporary authority to operate. The temporary authority begins November 1, 2024 and will continue during the administrative hearing process.

Yo Deli, Inc.

October 3, 2024

Your license fees submitted with the application will be processed following conclusion of this case. Failure to submit appropriate license fees to the Board shall constitute further objection to the renewal of your license.

Sincerely,



Andrew Stuffick, Director
Bureau of Licensing

Refer to: Bureau of Licensing

ra-lbnuisance@pa.gov

Hours: 7:30 A.M. - 4:00 P.M.

AS:hl

cc: PSP #1
PSP-RE



MUNICIPALITY: Philadelphia City
COUNTY: Philadelphia County
DISTRICT: District 10

LICENSE NO: R2410
LID: 66445

EFFECTIVE: Nov 01, 2024
EXPIRES: Oct 31, 2025

ADDITIONAL PERMITS

Sunday Sales Permit

YO DELI INC
900 W HUNTINGDON ST
PHILADELPHIA PA 19133-1922

NOW, THIS IS TO CERTIFY, that the Bureau of Licensing grants the above named a TEMPORARY RESTAURANT LIQUOR LICENSE, for the premises designated, during the administrative hearing process on the question of the renewal or non-renewal of the license effective the date shown above and continuing until the earlier of the following: (1) 11:59 p.m. on the Licensee's next operating day after the Board's adjudication in this matter is delivered to the office of the Licensee's attorney-of-record; (2) upon approval of a Conditional Licensing Agreement; or (3) the expiration date specified, unless sooner surrendered, cancelled, transferred, suspended or revoked. Liquor and Malt or Brewed Beverages may be stored and sold in only that portion of the premises designated in the application.

WITNESS THE FACSIMILE SIGNATURES AND
 THE SEAL OF THE LIQUOR CONTROL BOARD

ATTEST:

Michael P. Vigore

MASTER LICENSE

Tina Holden **CHAIRMAN**

Andy Vukobrat **MEMBER**

Darrell L. Clarke **MEMBER**

The License is NOT ASSIGNABLE and is valid for use only by the Licensee at the above designated location, where it must be conspicuously displayed, suitably framed under a transparent substance.

WHOLESALE LIQUOR PURCHASE PERMIT

Store Discount Card

THESE ARE YOUR WHOLESALE LIQUOR PURCHASE PERMIT CARDS. Present this to the Pennsylvania Liquor Store which you will designate as your home store. The store personnel will give you full instructions as to the manner in which these Permits should be signed.

EXPIRES: October 31, 2025

LID: 66445

YO DELI INC
900 W HUNTINGDON ST
PHILADELPHIA PA 19133-1922



Tim Holden CHAIRMAN
Andy Vukobrat MEMBER
Darrell L. Clarke MEMBER

The above named having been granted a Retail Liquor License expiring on the date shown above is permitted to purchase liquor at wholesale prices from the Pennsylvania Liquor Stores upon presentation of this card.

To be signed only by licensees and his agents duly authorized to make purchases.

Signature(s) of Licensees/Authorized Officer and Title

Date of Signature

Authorized Agents:

Date of Signature

Date Signature Voided

NOT VALID IF SIGNED BY MORE THAN FOUR AGENTS